

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT A. BARRICK,)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-1545
)	
DR. WILLIAM NEWMAN, et al.,)	
Defendants.)	

O R D E R

AND NOW, this 24th day of March, 2006, after the plaintiff, Robert A. Barrick, filed a civil rights complaint in the above-captioned case, and after a motion to dismiss the complaint was submitted by the remaining defendants, NaphCare and John Walton, and after a motion for summary judgment was filed by the plaintiff, after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the plaintiff, and after independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the motion to dismiss the complaint filed by defendants NaphCare and John Walton (Docket No. 24) is granted, and that plaintiff's motion for summary judgment (Docket No. 31) is dismissed as moot.

s/Athur J. Schwab
United States District Judge

cc: Robert A. Barrick
2150-05
Westmoreland County Jail
3000 South Grande Blvd.
Greensburg, PA 15601

All Counsel of Record

Honorable Robert C. Mitchell
United States Magistrate Judge